

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: FEBRUARY 14, 2008****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-25148 - APPLICANT/OWNER: HECTOR CAMACHO**

**** CONDITIONS ******STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:**Planning and Development**

1. Approval of and conformance to the conditions for Variance (VAR-25220) shall be required.
2. Conformance to the conditions for General Plan (GPA-2966), Rezoning (ZON-2967), Special Use Permit (SUP-3223), if approved.
3. Conformance to the conditions for Site Development Plan Review (SDR-3224), except as amended herein.
4. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
5. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 10/16/07, except as amended by conditions herein.
6. A Waiver from Title 19.12 is hereby approved, to allow a five-foot buffer along a portion of the south property line where 15 feet is required and a five-foot buffer along a portion of the east property line where eight feet is required.
7. No used or discarded automotive parts or equipment shall be located in any open area outside of an enclosed building.
8. All disabled vehicles shall be stored in an area that is screened from view from the surrounding properties and adjoining streets.
9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the addition of twelve 24-inch box trees in the perimeter areas on the eastern portion adjacent to the residential development.

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10. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
11. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
15. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
16. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

17. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards prior to occupancy of this site.
18. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

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19. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
20. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
21. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON2967 and all other subsequent site-related actions.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review to add a proposed 20,400 square-foot General Retail Development to an existing 16,250 square-foot Auto Repair Garage, Major to allow a five-foot buffer along a portion of the south property line where 15 feet is required and a five-foot buffer along a portion of the east property line where eight feet is required on a portion of 3.41 acres at the southeast corner of Page Street and Bonanza Road.

The proposed 20,400 square-foot retail building is not compatible with existing adjacent development and development in the area, as it will provide a building that is greater in scale than those around it. In addition, the proposal is also not consistent with the intent of Title 19.10 design standards as a Variance (VAR-25220) for parking has been requested. The applicant is providing 201 parking spaces where 250 parking spaces are required, which is a 20% deviation from standards. Due to the self-imposed hardship created by the intensity of the proposed use on the site, denial of this request is recommended.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/02/03	Code Enforcement cited (#3208) the property for trash, debris, high vegetation and large piles of dirt on the site. The citation was resolved on 10/24/03
10/30/03	Code Enforcement cited (#6336) the property for high dry vegetation and litter. The citation was resolved on 12/15/03.
01/24/04	City Council approved a General Plan Amendment (GPA-2966) from SC (Service Commercial) to GC (General Commercial), a Rezoning (ZON-2967) from R-E (Residence Estates) Zone under Resolution of Intent to O (Office) and C-1 (Limited Commercial) to C-2 (General Commercial), a Special Use Permit (SUP-3223) and Site Development Plan Review (SDR-3224) for an Auto Repair Garage (Major) and a proposed Self Serve Car Wash on 3.41 acres adjacent to the southeast corner of Bonanza Road and Page Street. Planning Commission and staff recommended denial. Note: the area designated phase 2 on the site plan was zoned to C-1 (Limited Commercial).
03/02/04	Code Enforcement cited (#10625) the property for graffiti. The citation was resolved on 03/19/04.
06/21/04	Code Enforcement cited (#16380) the property for trash on the vacant lot portion of the site. The citation was resolved on 06/30/04.
07/27/04	Code Enforcement cited (#19314) the property for trash and piles of debris. The citation was resolved on 12/06/04.

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03/02/05	Code Enforcement cited (#26624) the property for graffiti and a broken fence on the property. The citation was resolved on 04/04/05.
04/20/06	Code Enforcement cited (#40443) the property for graffiti and abandoned cars. The citation was resolved on 07/06/06.
07/21/06	Code Enforcement cited (#44724) the property for graffiti and a broken fence on the property. The citation was resolved on 02/10/07.
	A site inspection was conducted for Special Use Permit (SUP-3223). The following violations were observed by staff: Temporary signage was observed at 4561 E. Bonanza Road. Per Title 19.14.090, a temporary sign certificate is required for all temporary signage, including banners and small temporary advertising signs. Please remove the temporary signage, or obtain the required sign certificate. Window sign(s) covering more than twenty-five (25) percent of the total window area were observed at 4561 E. Bonanza Road. Per Title 19.14.060.F.12.a, Window signs shall not cover more than 25 percent of the total area of all windows located on a building elevation. The total combined area of all wall, window, roof, awning and marquee signs shall not exceed 20 percent of the building elevation to which they are attached. Please reduce the window sign(s) to 25 percent of the total window area. Per condition #7 of SUP-3223, All disabled vehicles shall be stored in an area that is screened from view from the surrounding properties and adjoining streets. Disabled vehicles were noted in the parking lot of 4561 E. Bonanza Road. Please keep disabled vehicles within the enclosed building or remove them from the property. The landscaping at 4561 E. Bonanza Road has died and is not in compliance with Landscape Plan date stamped 01-20-04. Per Title 19.12.030.A.3, The owner, developer and occupant of the property are jointly and severally responsible for maintaining or assuring the ongoing maintenance of installed landscaping so that the landscaping continues to thrive Please replace the dead landscaping and bring the landscaping into compliance with Title 19 standards.

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01/09/08	Per condition #10 of SUP-3223, A revised site plan that shows two additional handicap spaces and a trash enclosure shall be submitted to the Planning and Development Department prior to issuance of building permits. As of this date, there has not been a revised site plan submitted to Planning and Development. Also, the trash enclosure(s) that have been constructed on site do not have the proper building permits, nor are they constructed per Title 19 standards. Please submit a revised site / landscape plan, and submit for the appropriate building permit(s) for the trash enclosure(s) and bring them into compliance with Title 19 standards. Graffiti was observed on the walls surrounding the monopole, and on the monopole itself. Per condition #11 SUP-3223, All City Code requirements and all City departments design standards shall be met, please remove the graffiti from the walls of the trash enclosure(s), and the building addressed 4561 E. Bonanza Road. A letter has been sent by staff requesting that if these issues have not been corrected by February 15, or the owner has not contacted staff to make other arrangements, this matter will be referred to the City of Las Vegas Code Enforcement Department for further action.
<i>Related Building Permits/Business Licenses</i>	
07/25/06	A Business License #G02-00753 was issued for Garage/Tire Sales.
10/10/06	A Business License #G03-02372 was issued for Major Car Repair.
06/15/06	A Business License #G02-00751 was issued for Minor Auto Repair.
06/22/06	A Business License #G03-02357 was issued for Major Auto Repair
07/20/06	A Business License #G02-00745 was issued for Minor Auto Repair.
<i>Pre-Application Meeting</i>	
09/13/07	A pre-application was held with the applicant. The applicant was informed that the proposed expansion of the previously approved Site Development Plan (SDR-3244) would require a new Site Development Plan Review for the area designated Phase II. Submittal requirements were then discussed.
<i>Field Check</i>	
01/16/08	A field check was made on site. On the northeast portion of the site, the applicant proposes a 20,400 square-foot commercial development, which is currently fenced in and littered with debris and trash. On the northwest portion of the site is an existing 16,400 square-foot building that is utilized for auto repair uses. The parking area for the auto repair businesses is littered with debris, parts and immobile cars. The landscaping is also not maintained.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.41

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Auto Repair Garage	GC (General Commercial)	C-1 (Limited Commercial)
North	Single Family Residential	ML (Medium Low Density Residential)	R-CL (Single Family Compact Lot)
South	Elementary School	PF (Public Facilities)	C-V (Civic)
East	Condominiums	ML (Medium Low Density Residential)	R-PD12 (Residential Planned Development 12 Units Per Acre)
West	Apartments	M (Medium Density Residential) and SC (Service Commercial)	R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Width	100 Feet	>100 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	20 Feet	>20 Feet	Y
Min. Distance Between Buildings	10 Feet	>10 Feet	Y
Max. Lot Coverage	50%	24.7%	Y
Max. Building Height	N/A	20 Feet*	Y
Trash Enclosure	50 Feet	Not Provided	N/A
Mech. Equipment	Screened	Screened	Y

**The 20 foot arcade is located 60 feet from the residential protected property, which meets Title 19.08.060 Residential Adjacency Standards*

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Review the following from Title 19.08.060

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	60 Feet	60 Feet	Y
Adjacent development matching setback	10 Feet	10 Feet	Y
Trash Enclosure	50 Feet	Not provided	N/A

Pursuant to Title 19.12, the following landscape standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Parking Area	1 Trees/ 6 Spaces	34 Trees	44 Trees	Y
Buffer: Min. Trees (Adjacent to Residential)	1 Tree/ 20 Linear Feet	30 Trees	18 Trees	N*
Buffer: Min. Trees (Adjacent to Commercial)	1 Tree/ 30 Linear Feet	39 Trees	39 Trees	Y
TOTAL		103 Trees	101 Trees	N*
Min. Zone Width (Right of Way)	15 Feet		5 Feet	N#
Min. Zone Width (Interior)	8 Feet		5 Feet	N#
Wall Height	8 Feet		Not provided	N/A

**Condition has been added requesting the addition of twelve 24-inch box trees in the perimeter areas adjacent to residential.*

#Waiver has been requested.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Existing Auto Repair Garage Major	16,250 SF	1:200, +5 spaces	87				

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General Retail Store (Furniture Store)	11,280 SF	1:175	65				
Restaurant 2,000 SF or more (without Drive-through)	3,623 SF	1:50 SF of Public Seating	73				
	2,584 SF	1:200 SF of total remaining GFA	13				
General Retail Store (Meat Market)	2,035 SF	1:175	12				
SubTotal			243	7	194	7	
TOTAL			250		201		
Loading Spaces			3		3		
Percent Deviation			20%				

Waivers		
Request	Requirement	Staff Recommendation
Five-foot landscape buffer along the east property line.	Eight feet is required	Approval
Five-foot landscape buffer along the south property line.	15 feet is required	Approval

ANALYSIS

• **Zoning**

Conditions from the Rezoning (ZON-2967) split zoned the parcel C-1 (Limited Commercial) and C-2 (General Commercial). The portion that this proposal refers to is the C-1 (Limited Commercial) portion, which is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan. The General Plan Designation for the parcel is GC (General Commercial), which is not consistent with the C-1 (Limited Commercial) Zoning District;

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and therefore is a non-conforming land use.

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- **Site Plan**

The applicant is proposing to build a 20,400 square-foot retail building on the undeveloped eastern portion of the parcel. The western portion of the parcel contains a 16,250 square-foot auto repair facility, which the City Council approved a Site Development Plan Review (SDR-3224) and Special Use Permit (SUP-3223) for an Auto Repair Garage, Major on 01/24/04.

Vehicular access to the site is provided by Bonanza Road, a 100-foot right-of-way as designated on the city's Master Plan of Streets and Highways. There is only one access driveway to the site with an emergency crash gate at the south end of the site. The parking provided is located around the existing and proposed buildings with the majority positioned at the southeast portion of the site. The site plan shows the applicant is providing 201 parking spaces where 250 parking spaces are required by code. This is a deficiency of 20%, which the applicant has requested a companion Variance (VAR-25220) application.

The loading zone provides the appropriate amount of loading zones per Title 19. However, staff finds the location of the loading zone on south side of the retail building inappropriate as a good proportion of loaded materials will be transferred through the areas labeled fast food eatery to the furniture store.

- **Landscape Plan**

The Landscape Plan proposed depicts the entire site including the existing auto repair facility. The plan shows 24-inch Aleppo Pines, Blue Palo Verde and Chilean Mesquite dispersed throughout perimeter and parking landscape areas. Pursuant to Title 19.12 Landscaping Standards the applicant is required to provide a 15-foot landscape buffer along Bonanza Road, Page Street and Diamondhead Drive with trees provided every 30 linear feet. Along eastern portion of the site, which is adjacent to residential, the applicant is required to provide trees every 20 linear feet. The applicant is deficient 12 trees along this area. A condition has been added requesting the addition of twelve 24-inch box trees in the perimeter areas adjacent to residential. The applicant is proposing a five-foot landscape buffer on a portion of the south property line where 15 feet is required, and a 5-foot landscape buffer on a portion of the east property line where 8 feet is required by code. The applicant is providing less perimeter landscaping than is required and therefore is requesting a Waiver.

Pursuant to Title 19.10 Parking Standards the applicant is required to provide one landscape island per six spaces. The applicant provides 44 trees where 34 trees are required. The applicant meets these standards.

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- **Waivers**

The applicant is requesting Waivers to allow five-foot landscape buffer along the east property line where eight feet is required and to allow a five-foot landscape buffer along the south property where 15 feet is required.

Staff can support the request for a landscape Waiver on the east and south portion of the site, as these areas necessitate access.

- **Elevation**

The elevations show horizontal parapets accented with hipped roof sections at the ends of the buildings. The exterior building material will be stucco with stone accents matching the existing auto repair building. The exterior of the building facing the condominium development to the east of the project is 15 feet tall. The 20-foot arcade on the front of the retail building is located 60 feet from the residential protected condominiums, which meets Title 19.08.060 Residential Adjacency Standards

- **Floor Plan**

The floor plan depicts a building divided into four proposed uses. On the south side of the building, the applicant proposes an approximately 6,200 square-foot fast food eatery and 2,035 square-foot meat market with an 11,550 square-foot furniture store and warehouse on the north portion. As mentioned in the above text, staff finds the location of the loading zone on south side of the retail building inappropriate as a good proportion of loaded materials will be transferred through the areas labeled fast food eatery to the furniture store.

FINDINGS

The following findings must be made for an SDR:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed 20,400 square-foot retail building is not compatible with existing adjacent development and development in the area, as it will provide a building that is greater in scale than those around it.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

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The existing zoning C-1 (Limited Commercial) is not consistent with the existing non-conforming GC (General Commercial) designation as listed under the Southeast Sector Plan of the General Plan. The proposal is also not consistent with the intent of Title 19.10 design standards as a Variance (VAR-25220) for parking has been requested. The applicant is providing 201 parking spaces where 250 parking spaces are required, which is a 20% deviation from standards.

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

Vehicular Access to the site is provided by Bonanza Road, a 100-foot right-of-way as designated on the city's Master Plan of Streets and Highways. There is only one access driveway to the site with an emergency crash gate at the south end of the site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire and Rescue.

4. Building and landscape materials are appropriate for the area and for the City;

The building materials as proposed are appropriate for this type of commercial use in this area. The amount of parking lot and perimeter landscaping as shown is below the minimum standard of the Zoning Code. The request for waivers to these requirements is part of this application.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The elevations proposed are similar in design, architecture and aesthetic features of the existing development on the west portion of the site. The current conditions of the site expressed in the inspection by staff depict an area littered with trash, inoperable vehicles, graffiti and deceased landscaping.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The proposed retail building will be subject to inspection by regulatory agencies for business licensing, and will therefore not compromise the public health, safety and welfare.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 4

ASSEMBLY DISTRICT 14

SENATE DISTRICT 10

NOTICES MAILED 536

APPROVALS 0

PROTESTS 0